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Attorney Docket: 186078111RE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: GERD BRANDHORST ET AL

Serial No.: 09/368,505

Filed: AUGUST 5, 1999

Title: DEVICE FOR EMPTYING A FILM TUBE



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Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure under 37 CFR §1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached Form PTO-1449 and/or listed herein and which the Examiner may deem relevant to patentability of the claims of the above-identified application.

English abstracts summarizing the disclosures of publications AO and AP are submitted herewith.

In compliance with the concise explanation requirement under 37 CFR §1.98(a)(3) for foreign language documents, Applicant submits the following explanations:

Document AR discloses a barrel/drum (12) with lid (14) and a sealing device (16) connected with an inliner (20) characterized in that it contains a further sealing lip (24).

Document AS discloses a device for opening a foilbag containing a flowable substance by a knife (21). The knife is fixed on the inner bottom of the cap.

Document AT discloses a screw cap for a bottle with a thread in said cap with sealing means (B) fixed in said cap by tongue and groove means. The sealing means is an elastomeric ring lying on the neck and the cap has an inner diameter exceeding the diameter of the sealing means. The sealing means has a protruding part (26) engaging with a groove (20) of the cap.

Document AU corresponds to U.S. Patent No. 5,332,122 (Document AJ).

Document AV discloses a film tube (foilbag) as a container for flowable substances. According to claim 1, it contains an opening outlet at its front end and a piston engaging to the rear end of the container movable by exerting pressure on said piston through moving means of a dispenser. The flowable substance is incorporated into a foilbag filling in the container and closed at both ends.

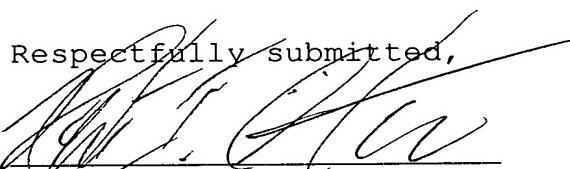
Copies of Documents AW and AX will be submitted at a later date.

The present Information Disclosure Statement is being filed no later than three months from the application's filing date or before the mailing date of the first Office Action on the merits (whichever is later), and therefore no certification under 37 C.F.R. §1.97(e) or fee under 37 C.F.R. §1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

If necessary, the paper should be considered as a petition for consideration of the Information Disclosure Statement under 37 C.F.R. §1.97(d)(2) and that the petition fee set forth in 37 C.F.R. §1.17(i) in accordance with 37 C.F.R. §1.97(d)(3) should be charged to Deposit Account No. 05-1323 (Docket #1860/48111RE).

Respectfully submitted,


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May 19, 2000

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